

**MINUTES OF THE
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT
INTERIM COMMITTEE**

Wednesday, November 18, 2015 – 1:15 – Room 30 House Building

Members Present:

Sen. Scott K. Jenkins, Senate Chair
Rep. Lee B. Perry, House Chair
Sen. Allen M. Christensen
Sen. Margaret Dayton
Sen. Jani Iwamoto
Sen. Peter C. Knudson
Sen. Evan J. Vickers
Rep. Melvin R. Brown
Rep. Scott H. Chew
Rep. Jack R. Draxler
Rep. Susan Duckworth

Rep. Stephen G. Handy
Rep. Lynn N. Hemingway
Rep. Mike K. McKell
Rep. Michael E. Noel
Rep. Kraig Powell
Rep. Douglas V. Sagers
Rep. Mike Schultz

Staff Present:

Mr. J Brian Allred, Policy Analyst
Ms. RuthAnne Frost, Associate General Counsel
Ms. Katie LeFevre, Legislative Assistant

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Perry called the meeting to order at 1:36 p.m.

MOTION: Rep. Chew moved to approve the minutes of the October 21, 2015, meeting. The motion passed unanimously with Sen. Dayton, Sen. Iwamoto, Rep. Draxler, Rep. McKell, Rep. Powell, and Rep. Sagers absent for the vote.

2. Wildland Fire Policy and Draft Legislation – "Wildland Fire Policy Updates"

Sen. Vickers, expressed his appreciation for all the efforts to develop the Wildland Fire Policy Update.

Mr. Brian Cottam, Director, Division of Forestry, Fire, and State Lands, explained that he has worked on the comprehensive statewide wildland fire policy for about three years. He showed the committee a video explaining the costs of fighting fires and strategies to finance fires that require support from the state and federal government.

Sen. Vickers proposed that the state pay for the non-federal costs of extended attack fires, allowing counties and municipalities to use their resources to mitigate the risk of fires. He explained that over time this policy would cut the costs of fire to the state.

Mr. Mark Ward, Policy Analyst, Utah Association of Counties, spoke in favor of the proposed Wildland Fire Policy. He said that the counties appreciate the certainty of coverage and funding the policy provides.

Mr. Cameron Diehl, Government Relations Director, Utah League of Cities and Towns, told the committee about the efforts made to meet the needs of cities and towns with different fire fighting capabilities, geography, and risks. He expressed his support for the policy. Mr. Diehl answered questions from the committee.

Mr. Kevin Ward, Fire Chief, Layton City, discussed the potential of this policy to reduce costs. He explained the benefits of the proposed policy, specifically the mitigation and prevention of fires.

3. Annual Report – Commission for the Stewardship of Public Lands

Sen. David P. Hinkins and Rep. Keven J. Stratton presented an annual report of the Commission for the Stewardship of Public Lands. Sen. Hinkins discussed soil carbon sequestration, national monuments, and sage grouse.

6. Potential Draft Legislation – "Water Funding Revisions"

Sen. J. Stuart Adams presented draft legislation "Water Funding Revisions" (2016FL-0598/003) and draft legislation "Infrastructure Funding Amendments" (2016FL-0637/005) to the committee.

Sen. Adams explained that Rep. Perry's draft legislation "Water Funding Revisions" would put a percentage of sales tax, currently being deposited into the Transportation Fund, into the Water Infrastructure Restricted Account.

Sen. Adams explained that his draft legislation "Infrastructure Funding Amendments" accomplished the same thing as "Water Funding Revisions," in addition to transferring some revenue from the transportation Investment Fund of 2005 to the Transportation Fund.

Mr. Mike Styler, Executive Director, Department of Natural Resources, discussed the type of water projects currently supported by the sales tax diversion. He explained that the Revenue and Taxation Interim Committee is hearing a recommendation to eliminate the sales tax diversion, which deeply concerns him.

4. Draft Legislation – "Concurrent Resolution Encouraging Universal Metering of Water Systems"

Sen. Jenkins presented draft legislation "Concurrent Resolution Encouraging Universal Metering of Water Systems" (2016FL-0421/004). He explained that the committee did not want to force water suppliers to implement metering and decided to draft a concurrent resolution to encourage metering. He explained that the water districts would decide how and if to implement metering.

Mr. Tage Flint, Weber Basin Water Conservancy District, explained that the resolution would increase the awareness of metering and the challenges facing secondary water users. He expressed his support for draft legislation "Concurrent Resolution Encouraging Universal Metering of Water Systems."

Mr. James Greer, Division of Water Resources, expressed his support for the resolution. He explained that metering would provide accurate data for conservation in addition to helping determine current and future water availability.

MOTION: Rep. Handy moved to recommend draft legislation "Concurrent Resolution Encouraging Universal Metering of Water Systems" as a committee resolution. The motion passed unanimously with Rep. Draxler absent for the vote.

5. Draft Legislation – "Water System Conservation Pricing"

Sen. Jenkins presented draft legislation "Water System Conservation Pricing" (2016FL-0422/003) to the committee. He explained that the legislation requires water providers to establish an increasing rate structure for culinary water pricing.

MOTION: Sen Jenkins moved to amend draft legislation "Water System Conservation Pricing" on line 31 inserting "and their billing cycle" after the word "rates" and before the semi colon. The motion passed unanimously with Rep. Draxler absent for the vote.

MOTION: Rep. Handy moved to recommend draft legislation "Water Systems Conservation Pricing," as amended, as a committee bill. The motion passed unanimously with Rep. Draxler absent for the vote.

7. Proposed Air Quality Board Administrative Rule Relating to Natural Gas Fired Water Heaters

Mr. Bryce Bird, Director, Division of Air Quality, explained that the Administrative Rules Committee asked the Natural Resources, Agriculture, and Environment Interim Committee review a proposed administrative rule that would require Utah meet an ultra-low NOx emission standard for water heaters beginning November 1, 2017. He discussed the challenges associated with the rule.

Sen. Jenkins explained that he sells about 10,000 water heaters a year. He stated that the ultra-low NOx devices cost consumers significantly more.

Mr. Taz Biesinger, Utah Home Builders Association, discussed the uniform building code and its relationship to the new standard for water heaters. He expressed his concern regarding the rule.

MOTION: Sen. Jenkins moved to send a letter to the Uniform Building Code Commission requesting its recommendations on the proposal.

AMENDED MOTION: Sen. Dayton moved to amend the motion by adding that the letter include a statement that policy in this area should be made by elected officials. The motion, as amended, passed unanimously. Rep. Brown, Rep. McKell, and Rep. Noel were absent for the vote.

8. Preservation of the Bonneville Salt Flats

Rep. Handy explained that Mr. Dennis Sullivan, Chair, Save the Salt Alliance, would present information to the committee regarding the Bonneville Salt Flats. Rep. Handy told the committee that the Bonneville Salt Flats are a famous cultural resource and are not being maintained well. He informed the committee that he intends to run a resolution in the upcoming session to raise awareness of the Bonneville Salt Flats.

Mr. Sullivan explained that racers on the salt flats noticed the thinning of the salt in the 1960s, but their appeals to improve the area were not recognized. He explained the agreement between the racing association and the mining company to improve the salt flats. He outlined the deterioration of the salt flats and the contributing factors. He discussed the economic impacts of the salt flats. He explained that he would like the mining reclamation to take place now, not in 30 years.

9. Other Committee Business

There was no additional committee business.

10. Adjourn

MOTION: Rep. Handy moved to adjourn the meeting. The motion passed unanimously with Sen. Christensen, Sen. Knudson, Rep. Brown, Rep. Draxler, Rep. McKell, and Rep. Noel absent for the vote.

Chair Perry adjourned the meeting at 4:02 p.m.